

EXHIBIT 13

In The Matter Of:

*Juice Entertainment, et al v.
Live Nation Entertainment*

*Vito Bruno
February 4, 2014*

*Rizman Rappaport Dillon & Rose
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ORIGINAL

Min-U-Script® with Word Index

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Live Nation Entertainment

<p>Bruno - Direct Page 33</p> <p>1 Q. What did you do in connection with the 2 event? What was your role? 3 First off, how did you become involved 4 in the event? 5 MS. WALKER WAGNER: What question is 6 on the table? 7 MR. MARX: Fair enough. 8 Q. You know what it was, I asked you such 9 a broad question in my mind I said "let me break 10 it down for Mr. Bruno." 11 A. One question at a time so I can answer 12 you correctly. 13 Q. Sure. Are you able to summarize 14 generally what you did from the time you became 15 involved in the event until the time you were no 16 longer involved? 17 A. Oh, basically as having somebody who 18 had produced festivals since '97 I was like, I 19 guess, the senior guy advisor who could pull off 20 -- actually pull off the show. 21 And we had -- my partner at the time 22 was John Dimatteo, who was tied into all the 23 agents for the EDM stuff. 24 I knew how to produce an event or a 25 show. I had all the contacts to roll out</p>	<p>Bruno - Direct Page 35</p> <p>1 the one who had the connections with the talent 2 involving that. 3 A. And he understood -- he had a good 4 handle on the acts that were relevant. 5 Q. Were you involved in booking any of 6 the talent for this event? 7 A. Did I do it, no, but I was involved on 8 the fringes, yes. 9 Q. Did you have direct communications 10 with any talent agents concerning their clients' 11 participation in this event? 12 A. Yes. 13 Q. Which talent agents did you have 14 contact with? 15 A. I sat in a meeting with Paul Morris 16 and AM Only, I sat in a meeting with Sam Kirby of 17 William Morris, and I was copied on a lot of the 18 e-mail back and forth. 19 Alan and John were the two guys 20 connected to the agents. 21 Alan had much more respect, in old 22 school, you know, he had more years experience 23 doing it, John is the new kid on the block, so 24 the two of them, getting the talent was their 25 job.</p>
<p>Bruno - Direct Page 34</p> <p>1 equipment. I think one of the e-mails you have 2 there, we got the guys who actually did a 3 festival, Ultrafest in Miami, they got the costs 4 for me and so we could design an event, market an 5 event, we had the ability through John to book 6 parts of the event, and everything from the basic 7 concept to clean-up I could have advised -- 8 actually completed myself. 9 There was also financing on my part 10 that they were looking for, so I think that 11 covers the whole thing basically. 12 Q. Okay. And were you involved in 13 connection with all of those areas that you just 14 described from the time you started in, you know, 15 December through March? 16 A. Pretty much. 17 Q. Okay. Was there anything that you 18 described that you were not involved with? 19 A. No. 20 Q. Now, between you and Mr. Dimatteo I 21 think you identified things that you would be 22 doing and things that Mr. Dimatteo would be 23 doing, correct? 24 A. Yes. 25 Q. I think you mentioned Mr. Dimatteo was</p>	<p>Bruno - Direct Page 36</p> <p>1 Q. Did you personally make any offers to 2 any talent in connection with this event? 3 A. That particular event details I don't 4 recall if they wanted me to reach out to any of 5 the top talent or not. I don't think so. 6 Q. Did you receive any responses from any 7 of the talent agents to whom offers had been 8 made? 9 A. From John or from Alan? 10 Q. From the agents directly. 11 A. From the agents directly? 12 Q. Yes. 13 A. Yes. 14 Q. Which agents directly responded to you 15 in regards to offers? 16 A. Not to me, to John. I was there -- 17 not to me, John. 18 Q. John is the one who received responses 19 from the agents? 20 A. Yes. 21 Q. You did not? 22 A. No, but I was in the room when there 23 was a discussion. 24 Q. Okay. Were those discussions during 25 meetings with Paul Morris or Sam Kirby that you</p>

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so they could roll out -- roll everybody out so
2 they feel comfortable, but he never asked me ever
3 in 35 years I'm working with him to do so,
4 30 years.
5 Q. What about Mountain, what would the
6 arrangements be if Mountain was providing it?
7 A. Mountain would have asked for
8 something upfront, a deposit.
9 I have not used Mountain in more than
10 a decade. I don't remember what the deal was,
11 but they were fairly reasonable. They understand
12 payment.
13 A lot of these companies will bill you
14 30 days after because they know.
15 If you have a good relationship with
16 the companies they'll bill you 30 days after.
17 Q. And if you were going to obtain this
18 staging production from any combination of
19 Mr. Viera and/or Mountain, would they have a
20 written contract in place before they provided
21 this service?
22 A. Would they? Mountain, yes. Abe,
23 probably not. He would send me an estimate of,
24 you know, "This is what it's going to cost."
25 Q. Okay. Now, if you look down on the

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1 A. Right.
2 Q. So he's talking --
3 A. Whether we're negotiating or definite,
4 what stage of negotiations we were in.
5 Q. And did you hire Mr. Viera as a
6 production manager?
7 A. We hired nobody.
8 Q. Why not?
9 A. We didn't have a show.
10 Q. Okay. How far in advance -- if you're
11 going to put on a show in June of -- June 25th
12 and 26th of 2011, when would you have to have
13 production details like this lined up?
14 A. This was already pushing the envelope
15 for a major event.
16 Q. By "this" you mean February 14th?
17 A. You have to go months and months out
18 for a big production.
19 Q. How many months?
20 A. Me, I would say at least like six
21 months out.
22 Q. Okay. So assuming you got involved in
23 December of 2010 for this event that was going to
24 take place in June of 2011, did you think there
25 was sufficient time when you first got involved?

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1 e-mail on Bruno-9 he asks a couple of questions.
2 First, he says, "Is this event still
3 being negotiated or is it a definite show?"
4 Did I read that correctly?
5 A. Yes.
6 Q. Do you recall what, if anything, you
7 told him in response to that question?
8 A. It's -- we're trying to make it a
9 definite show, but it's still -- you know, I'll
10 be straight with Abe, you know, it's still no
11 headliner talent yet, it's still, you know, in
12 its developmental stages.
13 Q. And even in fact in the next sentence
14 he says "Despite what stage you're in, are you
15 hiring me as the production manager for the
16 entire event or just on the audio side?"
17 Did I read that correctly?
18 A. That's correct.
19 Q. Do you know what he was referring to
20 when he said "Despite what stage you're in"?
21 A. What stage -- whether we are
22 negotiating or a definite show, that's what he
23 meant, not physical stage.
24 Q. Okay, right, but it's ironic, because
25 he put up stages.

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1 A. I knew from the beginning we were
2 under the gun, definitely under the gun.
3 Q. But when did you think you needed to
4 have talent booked in order to be successful?
5 A. In that world you could go -- you
6 could announce it as late as two months in
7 advance of a show, but the way the business has
8 -- well, back then it wasn't as competitive as it
9 is now.
10 Right now you need to book talent a
11 year in advance because there's so many festivals
12 at this point.
13 Back then there was a lot of avail
14 three to six months out, nine months out.
15 Now the window is, you know, you look
16 at talent for a year and a half now or a year
17 because it's much hotter now than it was then.
18 Q. And when did production need to be
19 lined up in advance of an event like this?
20 A. I was doing it February 14th. I was
21 on it. And the hardest part is, you know, you
22 could get the stage sound and the lights, but
23 there are some specific requirements that require
24 specific equipment, so you need to be doing it
25 right about then, too. If you don't have the

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<p>Bruno - Direct Page 57</p> <p>1 talent rider, you can't get the equipment. 2 Q. The talent rider is something that's 3 attached to the contract when -- 4 A. Correct. 5 Q. -- when the owner of the show 6 contracts with the talent? 7 A. Correct. So there would be additional 8 production elements that need to be added in. 9 Q. And I think you said before that those 10 production elements could add significantly to 11 the cost of production? 12 A. Yes, sir. 13 Q. How so? 14 A. Well, if somebody wants video screens 15 of a certain DPI, if somebody wants a certain 16 speaker, certain equipment, certain configuration 17 of the stage, certain risers. 18 A lot of times you could get people to 19 share stuff. You know, you say "This is what the 20 festival setup is. This is what the program is," 21 but your headliner you try to accommodate and 22 then have everybody else work off that, work 23 backwards. 24 Q. And were there any further 25 communications between you and Mr. Viera about</p>	<p>Bruno - Direct Page 59</p> <p>1 A. -- with a piece of -- a document 2 showing that there was \$300,000 at that point 3 available for that. 4 Q. Okay. Did you have any other role 5 related to financing other than providing the 6 \$300,000 that they asked for from you? 7 A. No. They had other financing in place 8 from other people. 9 Q. Did they ever ask whether you would be 10 willing to provide more than \$300,000 in 11 financing? 12 A. No. 13 Q. Did you ever agree to provide more 14 than \$300,000 in financing? 15 A. No, but I could have. 16 Q. Did you ever agree with Barrett, 17 Dorfman, and Sacks that you would provide 18 financing sufficient to put on the entire event? 19 A. The entire event? 20 Q. Yes. 21 A. No. 22 Q. Did you ever agree to provide up to 23 \$2 million in financing this event? 24 A. No. 25 Q. Would you ever have made such an</p>
<p>Bruno - Direct Page 58</p> <p>1 productions relating to this event other than -- 2 A. Not happening. 3 Q. When did you tell him that? 4 A. I don't remember, but sorry, it's not 5 happening. 6 Q. Now, I think you told me that you were 7 -- your role in connection with this event 8 involved production and equipment, which I think 9 we've already covered -- 10 A. Yes, sir. 11 Q. -- and financing? 12 Did I recall financing correctly? 13 A. Yes. 14 Q. What exactly were you going to do as 15 far as financing this event? 16 A. They asked me for \$300,000 to put up. 17 I had to show -- I had to actually show proof of 18 funds at the point when Johnny D from Live Nation 19 went into AI over at the Meadowlands Fair and 20 told him that nobody had any money, so he had to 21 show proof of funds that Chris and Tommy came to 22 my office and printed out proof of funds and they 23 went back to AI Dorso, is that his name, 24 Meadowlands -- 25 Q. Okay.</p>	<p>Bruno - Direct Page 60</p> <p>1 agreement? 2 A. Two million in advance, no, but Abe 3 would have rolled out 2 million in equipment for 4 me. 5 Q. Okay. Would you -- would you have 6 provided any -- strike that. 7 Did you come out-of-pocket by way of 8 providing any monetary contribution to this 9 event? 10 A. Besides meetings and dinners and other 11 than that, no. 12 Q. Would you have provided any financial 13 contribution toward this event without having a 14 signed agreement relating to your participation 15 in the event? 16 A. I would have. I do it all the time. 17 Q. But you didn't do that in this case? 18 A. There was no -- no ask for money. 19 There was no contract that needed to be funded. 20 There was nothing that needed to be funded. 21 Q. Were you considering doing an event in 22 Englishtown, New Jersey in the summer of 2011? 23 A. I looked at that space, yes, with 24 John. 25 Q. John Dimatteo?</p>

<p>Bruno - Direct Page 37</p> <p>just described earlier?</p> <p>2 A. Yes, sir.</p> <p>3 Q. Were there any other occasions when an</p> <p>4 agent responded to John Dimatteo about an offer</p> <p>5 that had been made during a meeting that you</p> <p>6 participated in or were present for?</p> <p>7 A. That I was present for?</p> <p>8 Q. Yes.</p> <p>9 A. No.</p> <p>10 Q. How many meetings were you present for</p> <p>11 concerning this event with Paul Morris?</p> <p>12 A. One.</p> <p>13 Q. How many meetings were you present</p> <p>14 concerning this event with Sam Kirby?</p> <p>15 A. One.</p> <p>16 Q. When was the meeting with Paul Morris?</p> <p>17 A. I'm not sure.</p> <p>18 Q. Where was the location of the meeting?</p> <p>19 A. A.M. Only's offices. I believe</p> <p>20 they're in Dunbar. I think Washington Street.</p> <p>21 Q. That's in Brooklyn?</p> <p>22 A. Yes, I believe that's where --</p> <p>23 Washington Street? Does that sound familiar?</p> <p>24 Q. I don't know.</p> <p>25 What artists were discussed during</p>	<p>Bruno - Direct Page 39</p> <p>1 He was like sitting in the meeting at his desk.</p> <p>2 Q. And the "John" is John Dimatteo?</p> <p>3 A. Yes, sir.</p> <p>4 Q. Okay. And how long was the meeting?</p> <p>5 A. Probably a half hour.</p> <p>6 Q. And did you talk about artists other</p> <p>7 than Tiesto?</p> <p>8 A. I don't recall, but I'm sure they were</p> <p>9 talking about other artists. Tiesto was the main</p> <p>10 one, the headliner.</p> <p>11 Q. And did you talk about subjects other</p> <p>12 than this event?</p> <p>13 A. We spoke about a few other shows</p> <p>14 possibly, but the main -- the main thing was this</p> <p>15 festival. They wanted to get Paul on board for</p> <p>16 this festival.</p> <p>17 Q. And did the meeting take place after</p> <p>18 or before the offer had been made?</p> <p>19 A. I'm not sure. That's a good question.</p> <p>20 Q. And tell me --</p> <p>21 A. It was probably before.</p> <p>22 Q. Tell me what you recall about the</p> <p>23 conversation.</p> <p>24 A. We went in there to try to have Tiesto</p> <p>25 headline -- we were there together the next day,</p>
<p>ino - Direct Page 38</p> <p>1 that meeting?</p> <p>2 A. Tiesto.</p> <p>3 Q. Had an offer been made for Tiesto to</p> <p>4 perform at the event?</p> <p>5 A. Yes. It's in the e-mails I just gave</p> <p>6 you?</p> <p>7 MR. MARX: I'm going to mark as the</p> <p>8 next been exhibit another one of the e-mails</p> <p>9 that you gave to us today as Bruno-8.</p> <p>10 It's a -- it looks to me like it's an</p> <p>11 e-mail from John Dimatteo sent on</p> <p>12 January 26th.</p> <p>13 The subject is "Forward Tiesto</p> <p>14 June 25th festival offer."</p> <p>15 (E-Mail is received and marked as</p> <p>16 Exhibit Bruno-8 for Identification.)</p> <p>17 Q. Take as much time as you want to look</p> <p>18 at it, but is that the e-mail that you were</p> <p>19 referring to?</p> <p>20 A. Yes, it is.</p> <p>21 Q. Okay. So tell me about the meeting</p> <p>22 that you were present for between -- who was at</p> <p>23 the meeting?</p> <p>24 A. Me, John, Paul Morris, and I think in</p> <p>25 Paul's office his partner has a desk in there.</p>	<p>Bruno - Direct Page 40</p> <p>1 and Paul wanted \$400,000 and part ownership of</p> <p>2 the festival.</p> <p>3 Q. Do you recall anything else that Paul</p> <p>4 Morris said concerning Tiesto's potential</p> <p>5 appearance at the event?</p> <p>6 A. No. They would do it if they got what</p> <p>7 they wanted, basically.</p> <p>8 Q. And what did Mr. Dimatteo and/or you</p> <p>9 say at the meeting concerning Mr. Morris's</p> <p>10 proposal?</p> <p>11 A. The money we could work on, but the</p> <p>12 giving them part ownership of the festival was</p> <p>13 not something we were looking to do.</p> <p>14 Q. And how did that meeting conclude as</p> <p>15 far as next steps, if any?</p> <p>16 A. Everybody was supposed to get back to</p> <p>17 each other.</p> <p>18 Q. Do you know what happened next with</p> <p>19 respect to getting back to Paul Morris or Paul</p> <p>20 Morris getting back to you?</p> <p>21 A. That would be a John thing, but there</p> <p>22 was no Tiesto show. There was no more Tiesto.</p> <p>23 A week or so later there was no more Tiesto.</p> <p>24 I don't know what happened. You know,</p> <p>25 I guess Tommy and Chris are alleging Live Nation</p>

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<p>Bruno - Direct Page 41</p> <p>1 got involved. I don't know if Paul's greed got 2 involved, but they almost doubled the offer and 3 money and we went for it. 4 Q. Do you have any knowledge as to why 5 Tiesto did not accept an offer to appear at this 6 event? 7 A. I do not. I just loved to be in a 8 position to turn down \$400,000 to push some 9 buttons and stand there for two hours. 10 Q. The other meeting you mentioned was 11 with Sam Kirby of William Morris. 12 Did I recall that correctly? 13 A. Yes. 14 Q. Do you know when that took place? 15 And was it at or around the same time 16 as the meeting with Paul Morris? 17 A. Yes, at the same time. 18 Q. And where was that meeting? 19 A. At the William Morris offices. 20 Q. And who participated? 21 A. It was me, John, I want to say there 22 was another young agent in there or two. 23 Q. How long was that meeting? 24 A. About the same, a half hour. 25 Q. Did you discuss anything other than</p>	<p>Bruno - Direct Page 43</p> <p>1 A. No, sir. 2 Q. Did you respond to that suggestion 3 during that meeting? 4 A. I said "Probably not, but we'll give 5 it a thought." 6 Q. Do you recall anything else that you 7 or Mr. Dimatteo said during that meeting? 8 A. No. 9 Q. How did you leave things with Sam 10 Kirby as far as next steps? 11 A. John was going to get back to, I 12 think, one of the agents that works for her. I 13 want to say the guy's name is either Alex Jenkins 14 or Pete Wiederlight. Those are the two agents 15 that John was dealing mostly up there, and Joel 16 Zimmerman from the West Coast. 17 Q. And do you know whether anybody from 18 William Morris got back to John? 19 A. I do not. 20 Q. Do you know whether John got back to 21 anybody at William Morris? 22 A. I do not, other than what e-mails are 23 here that I was copied on. 24 Most of the talent was between Alan 25 and John working on the talent.</p>
<p>Bruno - Direct Page 42</p> <p>1 this event? 2 A. No, just this event. 3 Q. Do you recall any specific artists 4 that you discussed? 5 A. There was a list of artists that John 6 had put offers in there for. 7 Q. Do you recall whether the meeting was 8 after the offers had been put in or before? 9 A. Probably usually maybe after to try to 10 make it happen and convince them. 11 Q. Okay. Do you recall what Sam Kirby or 12 anyone else from William Morris said in that 13 meeting? 14 A. Yeah, they wanted us to be partners 15 with Live Nation. 16 Q. How was that subject raised? 17 A. They raised it. 18 Q. What did they say? 19 A. Something to the effect of, you know, 20 would you like -- "It would be more comfortable 21 if you were partners with Live Nation on this. 22 Do you have any interest in being partners with 23 Live Nation", something to that effect. 24 Q. Do you recall anything else they said 25 on that subject, the partnering with Live Nation?</p>	<p>Bruno - Direct Page 44</p> <p>1 Q. Now, following your meeting with Paul 2 Morris, did you report about your meeting to the 3 other members of the team; that is to say 4 Mr. Dorfman, Mr. Barrett and Mr. Sacks? 5 A. That would be John's thing, not me. 6 Q. You did not? 7 A. I'm sure we had the discussion about 8 it, about Tiesto. We went there and had the 9 discussion about the money. 10 Q. And about Mr. Morris's proposal that 11 Tiesto be -- 12 A. Part-owner of the festival. 13 Q. -- part-owner of the festival? 14 Did you share that information? 15 A. I'm sure we did. 16 Q. Do you recall whether you did that in 17 a meeting or in a writing? 18 A. I don't know. 19 Q. If you had done it in a writing -- 20 A. You would have it. 21 Q. We would have it. 22 Do you recall whether there was a 23 discussion about whether Tiesto ought to be 24 considered as an ownership partner in the event? 25 A. I believe everybody was in agreement</p>

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that that was not real.

2 Q. Meaning not something that you wanted

3 to pursue?

4 A. Yeah, correct.

5 Q. And the same question with respect to

6 reporting back to your team following the meeting

7 with Sam Kirby, did you report back to the team

8 about Sam Kirby's proposal that your team partner

9 with Live Nation in connection with this event?

10 A. Yes.

11 Q. Did you personally do that or did

12 Mr. Dimatteo do it?

13 A. I don't remember. I don't recall, but

14 I was pushing. If you're going to have a

15 partner, Live Nation would be the partner you

16 would want to have.

17 Q. So your recollection is that you

18 reported back to the team and you were advocating

19 that if the team wanted a partner Live Nation

20 would be a good partner?

21 A. Yes.

22 Q. What did the rest of the team do in

23 response to your position?

24 A. I think they kind of agreed.

25 Q. How do you know that?

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1 A. Yeah, that's correct.

2 Q. Do you remember what that was about?

3 A. I do not.

4 Q. Now, going back to the list of things

5 that you told me you were responsible for while

6 you were involved in the event, one of the things

7 you said was production.

8 Did I recall that correctly?

9 A. Yes, sir.

10 Q. What did you mean by "production"?

11 A. Sounds, lights, staging, fencing,

12 barricades, et cetera, power, getting the acts in

13 and out, writers, schedules.

14 Q. And I think you mentioned you had a

15 relationship with someone who had done the Ultra

16 Festival?

17 A. Yeah, you have the e-mail there also.

18 It was actually -- it was an e-mail from the

19 first batch of papers I gave you which is a

20 print-out of the e-mail of the costs that they

21 had done from A. Viera for 400,000 or \$500,000 it

22 says on that thing or something like that.

23 Q. Yeah, I'll show you the document.

24 A. There was three of those things in the

25 file.

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1 A. Because we made a proposal to Jason.

2 It's in one of those e-mails that you just gave

3 to me.

4 There it is. You gave it to me.

5 Exhibit No. 7. "Conversation, February about

6 doing a partnership with Live Nation, DeLuno to

7 your boys, and AreaEvent," which is us.

8 Q. Okay. We'll get to that, but your

9 recollection is that the --

10 A. That I pushed this.

11 Q. -- that the e-mail that we saw that's

12 a Bruno deposition exhibit reflects the team's

13 decision to make a proposal to Live Nation to

14 partner on this event?

15 A. Yes.

16 Q. Is it your recollection that the team

17 -- everyone agreed with that approach or did

18 Mr. Barrett and Mr. Dorfman disagree with that

19 approach?

20 A. I don't remember. I don't recall.

21 Q. There's an e-mail in Bruno-7 where

22 Mr. Dorfman says "Call me. This information is

23 incorrect completely," and Mr. Dimatteo responds

by saying "Call Vito."

Do I see that correctly?

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1 (E-Mail is received and marked as

2 Exhibit Bruno-9 for Identification.)

3 Q. I've handed you what we've marked for

4 Identification as Bruno-9. It's a one-page

5 document that you provided to us in the materials

6 today.

7 On the upper-right hand corner it

8 appears to be dated Wednesday, February 16, 2011,

9 9:18:59 p.m.

10 It looks like it's an e-mail from

11 somebody named Abraham Viera, Sr. to --

12 A. Me.

13 Q. To you?

14 A. Me.

15 Q. And the subject is "Ultra New York."

16 Is this the e-mail that you were

17 talking about?

18 A. Yes, sir.

19 Q. And who is Abraham Viera?

20 A. He owns a major audio/visual

21 production company that does sound staging,

22 lighting, stage management, production

23 management.

24 Q. Okay. And he was involved in the

25 Ultra Festival?

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A. How the deal flowed?

Q. Let's step back a minute.

If we look at Bruno-6, there are four partners; there's Barrett, Dorfman, Sacks, and Potter. You're not even included as a partner in Bruno-6. Okay, and then we get to Bruno-10 and we've got six --

A. On top, but they're not on the bottom.

Q. We have six partners who are Barrett, Dorfman, Sacks, Bruno, Dimatteo and Arteca. Did I read that correctly?

A. Yes.

Q. Okay. Now, is it your recollection that you all reached an agreement as to each person's percentage ownership in the joint venture?

A. Yes.

Q. Were all six people listed on Bruno-10 included in that venture as partners?

A. That I was aware of, yes.

Q. What were the percentages that were agreed on?

A. I know it was 50-50 between their company and my company on our -- on our end. If I want -- I vaguely remember we

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1 venture?

2 A. Correct.

3 Q. And we don't know it from any writings that we have here today with us?

4 A. Correct.

5 Q. You think you may have seen one, but you don't have a strong --

6 A. Correct. I'll do my best efforts to try to find that.

7 Q. And separate and apart from whether there's a writing, you don't have a recollection as to what those numbers are; in that you don't know whether Alan is on your side or the other side?

8 A. Our side, their side or split in the middle, which is something I would probably have recommended.

9 Q. Very diplomatic?

10 A. Yes, sir, always.

11 Q. I think we got on the subject of looking at these contracts but I wanted to know from you what was the deal that you discussed at the Grand Lux and came to an agreement on?

12 A. 50-50. We put up 300, they put up 300, I could help roll out the equipment. They

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1 gave -- on our side we gave Brian 5 or 10 percent on our side, and me and Joe had the rest, and I don't recall the splits on their side. I don't know if it was equal or not.

2 Q. And who was on their side?

3 A. Alan, Thomas, and Chris, or at the final thing did we just split Alan in the middle?

4 I remember that was a discussion, so I'm looking for what the final was, but where Alan fell into the deal was the discussion.

5 Q. And was it your recollection that there was an e-mail or some other writing that everyone indicated they were in agreement to concerning the allocation of interest as you just described it?

6 A. I remember seeing something. That's what I was trying to find out before I came here, to find that piece of paper or e-mail or whatever it was, but I remember seeing something that laid it out.

7 Whether everybody got it or agreed, I don't recall. I'm trying to find it to shake my memory.

8 Q. Okay. So we don't know from Bruno-10 what the percentage of interest is in this

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1 booked the talent, John and Alan.

2 I could help with marketing and promotion. Those kids are allegedly promoters. Brian is -- you know, has -- you know, a dozen promoters, he worked with some promoters. That was basic framework of the deal.

3 Q. Did they tell you that they had \$300,000 lined up?

4 A. They said they had the money.

5 Q. Did you ask them anything about that?

6 A. No. I found out later that they got money from a third party. It wasn't theirs. I didn't know that at the time.

7 Q. If I wanted to know the most accurate description of what the deal was, should I look at Bruno-10 or should I look at the deposition testimony you just gave me where you described your understanding of the deal?

8 A. Probably -- well, we just spoke about the testimony.

9 Q. Right. Is that because in your view Bruno-10 didn't really describe the deal?

10 A. It didn't describe -- it doesn't look like it described the duties of what each person is doing. This is more lawyer stuff than

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<p>Bruno - Direct Page 105</p> <p>1 that payment that was made?</p> <p>2 A. Yeah.</p> <p>3 Q. And did that episode impact your</p> <p>4 relationship with Live Nation?</p> <p>5 A. That episode? No. We never had any</p> <p>6 issues prior to.</p> <p>7 Q. Do you know whether that episode</p> <p>8 impacted Live Nation's relationship with</p> <p>9 Mr. Dimatteo?</p> <p>10 A. I do not know, but he was very</p> <p>11 protective of Live Nation's relationship.</p> <p>12 Q. John Dimatteo was?</p> <p>13 A. Yeah.</p> <p>14 Q. Now, home stretch, a couple more</p> <p>15 questions.</p> <p>16 (E-Mail is received and marked as</p> <p>17 Exhibit Bruno-14 for Identification.)</p> <p>18 Q. I'm going to ask you about one of the</p> <p>19 e-mails that was printed out from the flash drive</p> <p>20 when we did that.</p> <p>21 I handed you that e-mail. It's marked</p> <p>22 Bruno-14. It's a one-page e-mail dated Monday,</p> <p>23 July 8, 2013, which appears to be an e-mail from</p> <p>24 Alan Sacks, "Subject: E-Mails", and there's two</p> <p>25 e-mail addresses; ChrisAsta and TD627.</p>	<p>Bruno - Direct Page 107</p> <p>1 do business with them. I do not want to be in</p> <p>2 this frigging thing."</p> <p>3 Q. And what have they told you in</p> <p>4 response to that?</p> <p>5 A. That they repeated the whole thing and</p> <p>6 Live Nation blocked them, this, that, the whole</p> <p>7 -- the whole story, and they weren't going to</p> <p>8 have me deposed.</p> <p>9 Q. So it's their contention -- let me ask</p> <p>10 you this.</p> <p>11 Why was this event unsuccessful?</p> <p>12 A. Which one?</p> <p>13 Q. The June 25th and 26, 2011 Electronic</p> <p>14 Dance.</p> <p>15 A. No talent confirmed.</p> <p>16 Q. And do you know why no talent</p> <p>17 confirmed?</p> <p>18 A. Well, that would be John Dimatteo and</p> <p>19 Alan Sacks question of exactly why.</p> <p>20 Q. Because they're the ones who were</p> <p>21 involved in booking talent?</p> <p>22 A. Day-to-day, correct.</p> <p>23 Q. You have no personal knowledge of why</p> <p>24 any talent failed to confirm which led to the</p> <p>25 lack of success of the event?</p>
<p>Bruno - Direct Page 106</p> <p>1 Do you know what this is?</p> <p>2 A. Don't recall.</p> <p>3 Q. Excuse me?</p> <p>4 A. I don't recall what I wanted from</p> <p>5 them.</p> <p>6 Q. Did Mr. Sacks e-mail you these</p> <p>7 addresses on July 8, 2013?</p> <p>8 A. Obviously, yes, that's what it looks</p> <p>9 like.</p> <p>10 Q. Do you recall why?</p> <p>11 A. No. I might have wanted to get in</p> <p>12 touch with these guys so I wouldn't have to be</p> <p>13 here. That would be my only contact with these</p> <p>14 guys over the last years. "Guys, I don't want to</p> <p>15 be here."</p> <p>16 Every conversation I had last year or</p> <p>17 so with these guys was "Do not bring me into</p> <p>18 this."</p> <p>19 Q. How many conversations have you had</p> <p>20 with them over the past -- since the event did</p> <p>21 not take place?</p> <p>22 A. Only a few; all about the same thing.</p> <p>23 "Don't want to be here, don't get me involved</p> <p>24 with this. My friends are Live Nation. I've</p> <p>25 done business with them. I want to continue to</p>	<p>Bruno - Direct Page 108</p> <p>1 A. Say that again, please.</p> <p>2 Q. You don't have any personal knowledge</p> <p>3 of why the talent didn't confirm?</p> <p>4 A. Just what I heard from John Dimatteo</p> <p>5 or Alan.</p> <p>6 Q. So if I want to know why the talent</p> <p>7 didn't confirm, I should talk to John Dimatteo or</p> <p>8 Alan?</p> <p>9 A. That would be the best bet, yeah. Al</p> <p>10 would be more accurate than John. How's that?</p> <p>11 John has been known to be not</p> <p>12 truthful. He will protect a relationship to all</p> <p>13 ends.</p> <p>14 Q. But because Alan and John were the</p> <p>15 ones dealings with the talent they're the ones in</p> <p>16 the position to know?</p> <p>17 A. They're in the position to know</p> <p>18 exactly what happened with each act or each</p> <p>19 offer.</p> <p>20 Q. Okay. And you have no personal</p> <p>21 knowledge of that?</p> <p>22 A. Just what I've heard from them in</p> <p>23 stories.</p> <p>24 (Handwritten Notes received and marked</p> <p>25 as Exhibit Bruno-15 for Identification.)</p>

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<p>Bruno - Direct Page 113</p> <p>1 have to be there.</p> <p>2 Q. Assuming you had an agreement with the</p> <p>3 provider?</p> <p>4 A. Yeah, same thing with a lot of</p> <p>5 marketing stuff. Radio stations they'll bill me</p> <p>6 30 days after an event because they know me.</p> <p>7 So lot of those bills you really only</p> <p>8 needed -- you had to come up with a deposit of,</p> <p>9 you know, if it's 1.2 million for a talent</p> <p>10 budget, you come up with a deposit of half.</p> <p>11 Q. So you had to come up with 600?</p> <p>12 A. Yeah.</p> <p>13 Q. What was it you had --</p> <p>14 A. I know Live Nation does 10 percent</p> <p>15 down binder agreement.</p> <p>16 Q. Was it your view that you had</p> <p>17 sufficient funding on your team's behalf with</p> <p>18 your 300 and the 300 from the Dorfman and Barrett</p> <p>19 team in order to put on this event?</p> <p>20 A. Oh, yeah, I would not have gone into</p> <p>21 -- and I would have, you know, not been the nice</p> <p>22 guy when it comes down to spending the nickels.</p> <p>23 I would nickel and dime this thing</p> <p>24 down to -- I was taking a 2 million budget down</p> <p>25 to at least a third off of it.</p>	<p>Bruno - Cross Page 115</p> <p>1 CROSS-EXAMINATION BY MR. SIEGEL:</p> <p>2</p> <p>3 Q. My name is David Siegel. I am counsel</p> <p>4 for the plaintiffs in this case, along with my</p> <p>5 colleague, Amy Walker Wagner, who is present</p> <p>6 there in the room with you.</p> <p>7 We have just a few follow-up</p> <p>8 questions, each one of us is going to have some</p> <p>9 questions, but overall it shouldn't take long and</p> <p>10 you shouldn't be nervous because even our</p> <p>11 combined talents fall short of the formidable</p> <p>12 Mr. Marx.</p> <p>13 So let me ask you with respect to</p> <p>14 Tiesto and his appearance at the festival or</p> <p>15 event, do you recall John Dimatteo recounting to</p> <p>16 you a story about a conversation that he had with</p> <p>17 Tiesto's road manager in Las Vegas?</p> <p>18 A. No, not that I can recall.</p> <p>19 Q. Did Mr. Dimatteo ever tell you about</p> <p>20 an encounter he had with Kelly Cobb discussing</p> <p>21 whether or not Tiesto would appear at this</p> <p>22 festival?</p> <p>23 A. Kelly Cobb was put into place with</p> <p>24 Tiesto by John Dimatteo. That was John's boy.</p> <p>25 They talked every day, so there's a</p>
<p>Bruno - Direct Page 114</p> <p>1 Q. So could you have done the event with</p> <p>2 \$600,000 in financing if the expenses were</p> <p>3 \$2 million?</p> <p>4 A. Yes, probably, yes.</p> <p>5 Q. Can you explain to me how that would</p> <p>6 happen?</p> <p>7 A. Because I just --</p> <p>8 Q. Okay, that was your explanation?</p> <p>9 A. The explanation prior to.</p> <p>10 Q. That's how you could do it on \$600,000</p> <p>11 of financing?</p> <p>12 A. Correct.</p> <p>13 MR. MARX: David, are you ready in</p> <p>14 Houston to pick up the questioning because I</p> <p>15 have no further questions for Mr. Bruno?</p> <p>16 MR. SIEGEL: I would like to go off</p> <p>17 the record briefly and talk with my</p> <p>18 co-counsel and we'll get back to you very</p> <p>19 shortly.</p> <p>20 MR. MARX: Fair enough. I will escort</p> <p>21 her to a secure location where you can have a</p> <p>22 private discussion.</p> <p>23 MR. SIEGEL: Thank you.</p> <p>24 (Recess.)</p> <p>25</p>	<p>Bruno - Cross Page 116</p> <p>1 lot of conversations with Kelly Cobb, so if you</p> <p>2 can refresh my memory maybe it will jog my memory</p> <p>3 on it.</p> <p>4 Q. What was that?</p> <p>5 A. If you give me some specifics, I could</p> <p>6 see if I remember.</p> <p>7 Q. Well, you said he was put into place</p> <p>8 by Mr. Dimatteo.</p> <p>9 I'm just asking generally do you know</p> <p>10 what services he performed for Kelly Cobb --</p> <p>11 sorry -- for Tiesto?</p> <p>12 A. Kelly?</p> <p>13 Q. Yes.</p> <p>14 A. He originally was production and</p> <p>15 became road manager and then he's road manager</p> <p>16 plus. Now, I don't believe he's on the road all</p> <p>17 the time with them anymore.</p> <p>18 Q. But you believe at the time in 2011</p> <p>19 you think he was traveling on the road with</p> <p>20 Tiesto?</p> <p>21 A. Yes.</p> <p>22 Q. Okay. And did Mr. Dimatteo ever tell</p> <p>23 you about a conversation he had with Kelly Cobb</p> <p>24 in Las Vegas in February of 2011 during which</p> <p>25 Mr. Cobb told Mr. Dimatteo that Tiesto told him,</p>

C E R T I F I C A T E

I CERTIFY that the foregoing is a true and accurate transcript of the testimony as taken by and before me stenographically at the time and place aforementioned.

I FURTHER CERTIFY that I am neither attorney for nor counsel to any of the parties; parties of any of the attorneys in this action; and that I am not financially interested in the outcome of this case.



SUSAN GIOFFRE, CCR
License No. XI001220
Notary Public of the State of New Jersey

My Commission Expires:
March 30, 2014